

ORDINANCE NO. 626

**AN ORDINANCE CONCERNING MANDATORY BILLING AND PROVIDING
OF UTILITY SERVICES WITHIN THE CITY OF LAS ANIMAS**

WHEREAS, the City of Las Animas is a Municipal Corporation organized under the laws of the State of Colorado; and

WHEREAS, the City provides services in the form of trash removal, electric services, water services, and sewer services to its inhabitants and to other parties; and

WHEREAS, the City is desirous of clarifying prior Resolutions and prior Ordinances with regard to the mandatory use of City Utility Services;

BE IT THEREFORE ORDAINED AS FOLLOWS:

SECTION 1. Section 17-13.1 of the Municipal Code of the City of Las Animas is repealed in its entirety.

SECTION 2. New section 17-80 is enacted as follows:

"Any person, corporation or entity holding an account for utility services from the City in the form of water, sewer, or electricity, shall be responsible to the City and shall be assessed a minimum trash removal collection charge."

SECTION 3. New section 22-80 is enacted as follows:

"Any person, corporation or entity holding an account for water services from the City shall be responsible to the City and shall be assessed a minimum trash removal collection charge pursuant to Chapter 17 of this Code."

SECTION 4. New section 18A-80 is enacted as follows:

"Any person, corporation or entity holding an account for sewer services from the City shall be responsible to the City and shall be assessed a minimum trash removal collection charge pursuant to Chapter 17 of this Code."

SECTION 5. New section 9-80 is enacted as follows:

(1) "Any person, corporation or entity holding an account for electrical services (except as provided in subsection (2) below) from the City shall be responsible to the City and shall be assessed a minimum trash removal collection charge pursuant to Chapter 17 of this Code."

(2) The required billing for sanitation charges shall not apply to the following electrical users:

- a. Temporary construction site services where no trash services will be provided;
- b. Sites on which mercury vapor lights are the only electrical usage;
- c. Sites on which security lights and security alarm systems are the only electrical usage.
- d. Sites on which telephone booths are located;
- e. Sites for Colorado Department of Transportation control systems and Burlington Northern Railroad control systems.

SECTION 6. New Section 17-81 is adopted herein which shall provide as follows:

- A. The requirement of Section 17-80, shall apply to all persons or entities availing themselves of any utility services, where the service is provided within the City limits of the City of Las Animas.
- B. Should any person or entity receiving the services within the City meet the requirements, then that said person or entity shall be required to pay a monthly base service charge.

SECTION 7. New Section 22-81 is adopted herein which shall provide as follows:

- A. The requirement of Section 22-80, shall apply to all persons or entities availing themselves of any utility services, where the service is provided within the City limits of the City of Las Animas.
- B. Should any person or entity receiving the services within the City meet the requirements, then that said person or entity shall be required to pay a monthly base service charge for the following:
 - 1. Sanitation services (whether those services are used or not).
 - 2. Sewer service (whether a tap has been issued or not).

SECTION 8. New Section 18A-81 is adopted herein which shall provide as follows:

- A. The requirement of Section 18A-80 shall apply to all persons or entities availing themselves of any utility services, where the service is provided within the City limits of the City of Las Animas.

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- B. Should any person or entity receiving the services within the City meet the requirements, then that said person or entity shall be required to pay a monthly base service charge for the following:
1. Sanitation services (whether those services are used or not).
 2. Monthly water services (whether a tap has been issued or not).

SECTION 9. New Section 9-81 is adopted herein which shall provide as follows:

- A. The requirement of Section 9-80 shall apply to all persons or entities availing themselves of any utility services, where the service is provided within the City limits of the City of Las Animas.
- B. The applicable utility services shall consist of electricity, sewer, water or sanitation services.
- C. Should any person or entity receiving the services within the City meet the requirements, then that said person or entity shall be required to pay a monthly base service charge for the following:
 1. Sanitation services (whether those services are used or not).

SECTION 10. The various rates may be changed from time to time as provided by Ordinance or Resolution.

SECTION 11. Any resolution or ordinance in contradiction of the provisions of this ordinance are hereby repealed.

ADOPTED on first reading this 14th day of August, 2001.

PASSED on second reading this 11th day of September, 2001.

CITY OF LAS ANIMAS

William F. Howland
William F. Howland, Mayor

ATTEST:

Charmaine Tripp
Charmaine Tripp, City Clerk